



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601

ROD R. BLAGOJEVICH, GOVERNOR

RENÉE CIPRIANO, DIRECTOR

217-785-3397

December 18, 2002

Reissued: January 17, 2003

Mr. Richard C. Karl

United States Environmental Protection Agency

77 West Jackson Boulevard

Mail Code: SE-4J

Chicago, Illinois 60604-3507

Re: 0971900017 - Lake County
Outboard Marine Corporation
Superfund-Technical Reports

Dear Mr. Karl:

The purpose of this letter is to provide written confirmation of the Illinois Environmental Protection Agency's (Illinois EPA) intent to comply with the requirements of 40 Code of Federal Regulations (CFR) 300.435(f) for the Outboard Marine Corporation National Priorities List (NPL) Site in Waukegan, Illinois.

40 CFR 300.435(f) requires that a State must provide its assurance to assume the Operation and Maintenance (O&M) responsibilities at NPL sites, including, where appropriate, requirements for maintaining institutional controls, under 40 CFR 300.510(c) where the remedial action objectives and remediation goals as stated in the Record of Decision have been met and the remedy has been determined to be operational and functional. A remedy is determined to be operational and functional (as defined at 40 CFR 300.435(f)) as either one year after construction is complete, or when the remedy is determined concurrently by U.S. EPA and the State to be functioning properly and is performing as designed, whichever is earlier. U.S. EPA may grant extensions to the one-year period, as appropriate.

A joint final inspection to verify whether the remedy is operational and functional at the Outboard Marine Corporation NPL Site is tentatively scheduled for October 1, 2003. If Illinois EPA and U.S. EPA determine concurrently that the remedy is operational and functional at that time, Illinois EPA will then assume responsibility for the O&M effective December 11, 2003.

If you should have any questions or require any additional information or assistance regarding this matter, please contact Erin Rednour of the National Priorities List Unit at 217-785-8725.

Sincerely,

Gary P. King, Manager

Division of Remediation Management

Bureau of Land